

CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
AVOCADO INSPECTION COMMITTEE (AIC)
Meeting Minutes
December 13, 2006
Irvine, CA

MEMBERS PRESENT

Rob Wedin, Chairman
Reuben Hofshi
Roger Essick
Bob Bednar
Mark Wollam
Ross Wileman
Phil Gilligan, Alternate
Chris Varvel, Alternate

AVOCADO INSPECTION PROGRAM

Donella Boreham (CDFA)
Kevin Masuhara (CDFA)

INTERESTED PARTIES

Tom Bellamore (CAC)
Rick Shade
Peter Changala
Dr. Mary Lu Arpaia (UCR)
Avi Crane

ITEM 1: ROLL CALL

Mr. Rob Wedin called the meeting to order at 1:00 p.m. with a quorum present.

ITEM 2: APPROVAL OF OCTOBER 25, 2006 MEETING MINUTES

Copy of October 25, 2006 Meeting Minutes are attached as EXHIBIT A.

MOTION: Mr. Roger Essick moved to approve the minutes. Mr. Bob Bednar seconded. The motion passed unanimously.

ITEM 3: MATURITY TESTING IMPORTED FRUIT

Mr. Rob Wedin discussed with the committee staffing one inspector at a twenty-four hour border station would cost approximately \$30,000 per month. After discussion, the committee concluded this inspection level would be costly. Mr. Wedin stated we will conduct a spot inspection program and may hire two to three seasonal inspectors to help test Mexican fruit at a cost of approximately \$7,500 per month.

The committee will check with Mexico's certifying agency, NORMEX and see if they will share maturity testing data. NORMEX is responsible for avocado maturity testing at the packinghouses in Mexico.

Mr. Tom Bellamore updated the committee the Federal standard is probably more than a year away.

ITEM 4: WINDFALL DISCUSSION

Mr. Roger Essick presented a letter to Chairman Wedin with over thirty-five grower/handler signatures. The letter was a collaboration from Roger Essick, Reuben Hofshi and Richard Piddick. Mr. Essick summarized the letter by stating food safety is a concern and with new outbreaks all the time, as an industry, we should be proactive and reevaluate the windfall regulation with respect to fruit on the ground. Mr. Essick stated we have no idea what is happening to the fruit that is on the ground for several days before it is picked up and we need to view this fruit a potential food safety issue. The letter calls for the suspension of the windfall regulation until it can be determined the fruit is safe. It was pointed out "Good Agricultural Practices" states grounded fruit could be a point of contamination. Mr. Essick stated the prudent thing to do is investigate and conduct research.

Ms. Donella Boreham reviewed the current windfall regulation allowing for fruit to be picked up for five days after the end of the extreme winds and is allowed to be maturity tested.

Mr. Mark Wollam stated he had talked with some of the growers and they believe this is a food safety issue, not a windfall issue. Their opinion is before we do anything, we need to establish the scientific rationale. Mr. Wollam submitted two letters supporting the need to conduct research and establish the science before proceeding with a course of action. The letters were from Malcolm Matheson, an avocado grower and Chuck Bandy of McMillan Farm Management.

Mr. Reuben Hofshi noted windfall fruit has a very good chance of being injured. The injuries may not be visible, but could be a source of contamination. Mr. Hofshi urges the Committee to request the Secretary to suspend the windfall regulation and take immediate action to prohibit the harvesting of fruit off the ground. Mr. Hofshi believes the Committee needs to be proactive and deal with the issue now.

Mr. Ross Wileman stated typically the windfall fruit is small fruit, which does not produce good returns, and he believes any fruit that touches the ground should not be packed. Mr. Wileman supported the need for research to determine if the fruit is safe. Mr. Wileman also added the research should be concluded before the next windfall season.

Mr. Rob Wedin introduced Peter Changala from the Irvine Company and handed out the letter he received from Mr. Changala. Mr. Changala gave an overview of his letter and stated the Irvine Company is completely supportive of testing and research to see what is going on and fruit that hits the ground is not exclusive to windfall. Mr. Changala added there is a need to look at the fruit through the chain of custody.

Mr. Rob Wedin asked Mr. Kevin Masuhara to explain what would happen if the Committee chose to vote to act on this petition.

Mr. Masuhara explained repealing the regulation does not necessarily accomplish greater food safety. If the regulation were repealed, the fruit would be tested with no restrictions. Mr. Masuhara stated comments concerning the State condoning the practice of picking up windfall fruit would need to be taken up with staff in Sacramento and reviewed.

Mr. Masuhara informed the Committee if they voted to suspend the windfall regulation, California Code of Regulations, Section 1408.22, it would require the filing of a rule-making package. This process involves review by the Office of Administrative law for the repeal of that specific section and requires additional information on economic impact, as well as be subject to a forty-five day comment period. If language were proposed to prohibit packing windfall fruit, the Committee would need to work on the language and that is a process requiring industry consensus. Mr. Masuhara informed the Committee there are two issues; one being food safety and the other being windfall and he does not believe suspending the windfall regulation as solving the food safety equation. There are two separate actionable items; (1) repeal regulations enforcing maturity for fruit that has fallen off the tree and (2) take action to prohibit the harvest of fruit on the ground.

MOTION: Mr. Bob Bednar recommends the Committee request the California Avocado Commission (CAC) establish a research project as soon as possible to determine the safety of avocados picked up from the ground and subjected to normal handling from the grower to the consumer. Mr. Roger Essick seconded.

Mr. Wedin stated he would like to appoint a subcommittee and develop the exact wording on what we want to get out of the research and work with Guy Witney and the Commission to help scope what the process is to be.

Mr. Bednar rescinded his motion and agreed with using a subcommittee to develop the necessary language for the research and determine who would do the study.

Mr. Wedin summarized all parties are in agreement that it is necessary to conduct research and learn more about what happens to the fruit on the ground.

Copies of the following are attached:

EXHIBIT B- Letter and petition from Roger Essick, Reuben Hofshi and Richard Piddick.

EXHIBIT C- Letter from Malcolm Matheson, avocado grower.

EXHIBIT D- Letter from Charles Bandy, McMillan Farm Management Company.

EXHIBIT E- Letter from Peter J. Changala, The Irvine Company.

MEETING ADJOURNMENT

Mr. Wedin adjourned the meeting at 3:00 p.m.

Respectfully submitted,

Donella Boreham, Program Supervisor
Avocado Inspection Program
Inspection and Compliance
Inspection Services